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JBH:csw 07/26/06 6395-68278-03 554431 I-034-99

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Papania et al.

**Application No.** Not yet assigned

**Filed:** Herewith

**Confirmation No.** Not yet assigned

**For:** AEROSOL DELIVERY SYSTEMS AND  
METHODS

**Examiner:** Not yet assigned

**Art Unit:** Not yet assigned

**Attorney Reference No.** 6395-68278-03

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**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97(b)(2)**

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Copies of United States patents and United States published patent applications do not have to be provided to the Patent Office (37 C.F.R. 1.98(a)(2)(ii)). Copies of unpublished U.S. applications do not have to be provided, as long as the application is available on PAIR, as this requirement of 37 C.F.R. § 1.98(a)(2)(iii) has been waived by the United States Patent and Trademark Office pursuant to the Official Gazette Notice on October 19, 2004 (1287 OG 163). Applicants will provide copies of such patents or applications upon request.

Applicants filed this Information Disclosure Statement ("IDS") within three months of the date of entry of the national stage as set forth in § 1.491 in an international application. As a

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result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A **duplicate** copy of this IDS is enclosed.

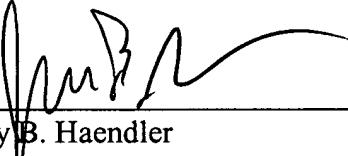
The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

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By

  
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Jeffrey B. Haendler  
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cc: Docketing

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Attorney Docket Number	6395-68278-03
	Application Number	Not yet assigned
	Filing Date	Filed herewith
	First Named Inventor	Papania
	Art Unit	Not yet assigned
	Examiner Name	Not yet assigned

**U.S. PATENT DOCUMENTS**

Copies of U.S. Patent documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date.

Examiner's Initials*	Cite No. (optional)	Number	Publication Date	Name of Applicant or Patentee
		3,861,386	01/21/1975	Harris et al.
		4,036,223	07/19/1977	Obert
		4,106,503	08/15/1978	Rosenthal
		4,319,155	03/09/1982	Nakai et al.
		4,877,989	10/31/1989	Drews et al.
		5,063,922	11/21/1991	Häkkinen
		5,215,079	06/01/1993	Fine et al.
		5,261,601	11/16/1993	Ross et al.
		5,443,059	08/22/1995	Koch et al.
		5,499,972	03/19/1996	Parsons
		5,515,841	05/14/1996	Robertson et al.
		5,551,416	09/03/1996	Stimpson
		5,704,911	01/06/1998	Parsons
		5,709,202	01/20/1998	Lloyd et al.
		5,803,362	09/08/1998	Fraccaroli
		5,826,571	10/27/1998	Casper et al.
		5,848,587	12/15/1998	King

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\* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**INFORMATION DISCLOSURE STATEMENT  
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Examiner's Initials*	Cite No. (optional)	Number	Publication Date	Name of Applicant or Patentee
		5,879,327	03/09/1999	Moreau DeFarges et al.
		5,891,086	04/06/1999	Weston
		5,921,232	07/13/1999	Yokoi et al.
		5,950,619	09/14/1999	van der Linden et al.
		6,116,237	09/12/2000	Schultz et al.
		6,123,068	09/26/2000	Lloyd et al.
		6,158,431	12/12/2000	Poole
		6,196,218	03/06/2001	Voges
		6,196,219	03/06/2001	Hess et al.
		US2002/124852	09/12/2002	Gonda et al.
		US2003/164169	09/04/2003	Stangl et al.

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials*	Cite No. (optional)	Country	Number	Publication Date	Name of Applicant or Patentee
		Europe	EP 1 149 602	10/31/2001	Microflow Engineering SA
		WIPO	WO 00/58022	10/05/2000	Liposol, Ltd.
		WIPO	WO 02/074372	09/26/2002	The Government of the United States of America
		Germany	DE 40 19 656A1	03/14/1991	

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		Europe	0 646 385 A1	04/05/1995	

**OTHER DOCUMENTS**

Examiner's Initials*	Cite No. (optional)	The International Search Report and the Written Opinion of the International Searching Authority of PCT Application No. PCT/US2005/011086.
		Co-pending U.S. Application No. 10/471,620
		Cutts et al., "Alternative Routes of Measles Immunization: a Review," <i>Biologicals</i> 25(3):323-338 (1997).
		Dhand, "Nebulizers that Use a Vibrating Mesh or Plate with Multiple Apertures to Generate Aerosol," <i>Respir. Care</i> 47:1406-1416 (2002).
		Dixon, "Sound Medicine," <i>British Medical Journal (International)</i> 311:1030 (1995).
		Greenspan B.J., "Ultrasonic and Electrohydrodynamic Methods for Aerosol Generation," in Hickey, AJ, ed., <i>Inhalation Aerosols: Physical and Biological Basis for Therapy</i> , New York, Marcel Dekker, Inc., 1996.
		Grossman J., "The Evolution of Inhaler Technology," <i>J. Asthma</i> 31:55-64 (1994).
		Harvey et al., "Comparison of Jet and Ultrasonic Nebulizer Pulmonary Aerosol Deposition During Mechanical Ventilation," <i>Eur. Respir. J.</i> 10:905-909 (1997).
		Holzner et al., "Characterization of Particle Size and Microbiological Properties of a Novel Low Frequency Ultrasonic Nebulizer," Proc. 2nd World Meeting APGI/APV, Paris, 25-28 May 1998, pp. 953-954
		Lefebvre, A.H., <i>Atomization and Sprays</i> , New York, Hemisphere, p. 264-272, 1989.
		Niven, R.W., Atomization and Nebulizers, in Hickey, A.J., ed., <i>Inhalation Aerosols: Physical and Biological Basis for Therapy</i> , New York, Marcel Dekker, Inc., 1996.
		Drug Delivery Systems - Pulmonary: Part 5, in <i>Medical &amp; Healthcare Marketplace Guide</i> , v.1, p. I-376+, 1998.

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